

REMARKS

Claims 1-35 are pending in the application. Claims 1-35 stand rejected over Schein (U.S. Patent No. 6,226,623) in view of Sandu (U.S. Patent No. 6,347,307) under 35 U.S.C. 103(a).

Claim Amendments

New claims 36-40 are added to clarify the expression of aspects of applicants' claimed invention. For example, new claim 36, depending on original claim 1, clarifies that transmitting the selection of available financial instruments and pricing parameters involves receiving the pricing parameters for the available financial instruments in a spreadsheet format from each of a plurality of fund managers at respective fund manager terminals via the global communications network (Spec. p. 20, lines 2-6) and allowing a plurality of brokers at respective broker terminals to access the pricing parameters associated with the available financial instruments via the global communications network (Spec. p. 7, line 1- p. 8, line 16).

Further, new claim 37, also depending on original claim 1, clarifies that using the transactional data to complete an order for the financial instrument involves, for example, receiving a message by the host server from a fund manager at a fund manager terminal via the global communications network requesting a download of the order and packaging and returning information about the order by the host server to the fund manager. (Spec. p. 23, lines 8-16). Thereafter, the fund manager is allowed options for filling the order, rejecting the order, or holding the order for further instructions. (Spec. p. 19, lines 2-9). If the fund manager fills the order, an upload of information about the filled order is received by the host server from the fund manager, and information about the filled order is sent to the broker by the host server via the global communications network. (Spec. p. 20, line 14- p. 21, line 14).

New independent claim 38 clarifies an embodiment of applicants' claimed method of electronic order routing in which a plurality of fund managers at respective fund manager terminals are allowed to import pricing parameters for available financial instruments in a spreadsheet format to a host server via the global communications

network (Spec. p. 20, lines 2-6), and each fund manager is allowed to designate a single predetermined cutoff time for all of the fund manager's pricing parameters. (Spec. p. 20, line 23-p. 21, line 5). A plurality of brokers at respective broker terminals are thereafter allowed to access the pricing parameters associated with the available financial instruments on the host sever via the global communications network. (Spec. p. 7, line 1-p. 8, line 16). If an order comprising broker account data and broker instructional data for one of the financial instruments is received by the host server from one of the brokers at one of the broker terminals via the global communications network, the host server can then receive a message from one of the fund managers at one of the fund manager terminals via the global communications network requesting a download of the order. (Spec. p. 23, lines 8-16). If the particular fund manager fills the order, an upload of information about the filled order is received by the host server from the fund manager and sent by the host server to the broker that placed the order. (Spec. p. 20, line 14-p. 21, line 14).

In addition, new claim 39, depending on new claim 38, clarifies that receiving the order involves, for example, retrieving pricing parameters for the order by the host server via an indicative price feed coupled to the host server (Spec. p. 18, lines 20-24), calculating a real-time market value for the financial instrument by the host server, and storing the order on a database by the host server (Spec. p. 8, lines 5-16). New claim 40, depending on new claim 39, also clarifies that receiving the order further involves, for example, executing a stored procedure by the host server on the database to select the requested order, packaging information about the order by the host server and returning the order information to the fund manager (Spec. p. 23, lines 8-16), and allowing the fund manager options of filling the order, rejecting the order, or holding the order for further instructions. (Spec. p. 19, lines 2-9).

Support for the new claims is found throughout the specification and in the claims as detailed above. Accordingly, no new matter has been added.

Claim Rejections - 35 U.S.C. § 103

Claims 1-35 stand rejected over Schein (U.S. Patent No. 6,226,623) in view of Sandu (U.S. Patent No. 6,347,307) under 35 U.S.C. 103(a). The rejection of claims 1-35 is respectfully traversed and reconsideration is requested. The references asserted do not teach or suggest the subject invention.

In one aspect of applicants' claimed invention, a plurality of fund managers at respective fund manager terminals are allowed to import pricing parameters for available financial instruments in a spreadsheet format to a host server via the global communications network. Each fund manager is allowed to designate a single predetermined cutoff time for all of the fund manager's pricing parameters. Thereafter, a plurality of brokers at respective broker terminals are allowed to access the pricing parameters associated with the available financial instruments on the host sever via the global communications network, and if an order comprising broker account data and broker instructional data for one of the financial instruments is received by the host server from one of the brokers, one of the fund managers can send a message to the host server via the global communications network requesting a download of the order. If the particular fund manager fills the order, an upload of information about the filled order is received by the host server from the fund manager and sent by the host server to the broker that placed the order.

In other aspects of applicants' claimed invention, upon receiving the order from the broker, the host server retrieves pricing parameters for the order via an indicative price feed coupled to the host server, calculates a real-time market value for the financial instrument, and stores the order on a database. Thereafter, on the request of the fund manager, the host server executes a stored procedure on the database to select the requested order, packages information about the order, and returns the order information to the fund manager. The fund manager is allowed options of filling the order, rejecting the order, or holding the order for further instructions. The above-noted aspects are not disclosed or suggested by the various reference asserted against the claims of record, and these aspects are believed to be clearly patentable over the applied prior art. Specifically, the asserted reference fails to provide key features of

the invention, and the claimed invention is patentably distinct from the cited references.

The system of Schein is not capable of electronic order routing using a global communications network according to applicants' claimed invention. On the contrary, the Schein system is designed and implemented to allow bank customers to do their banking through bank branches, ATMs, telephone call centers, and PC home banking software around the world 24x7 and to choose whether to visit the bank branch or ATM in person, call the bank on the phone, or use the PC for home banking. (Col 10, lines 14-26). The Schein system uses, for example, a central communications network between networks of ATMs 12, and the ATMs 12 provide a link between customers and a computer network. The central communications network 10 is also in communication with one or more financial institutions and financial service providers, and front end communicators 14 facilitate communications between the customers and the computer network and financial service providers located outside the ATM network. (Col 14, line 52-Col 15, line 10).

According to Schein, service points accessible by customers via the central communications network 10 include, for example, branch systems 22, remote delivery systems 24, customer service systems 26, point of sale systems 28, and office systems 29. Services accessible by customers via the central communications network 10 include, for example, end-to-end management services 32, financial control services 34, structured services 36 and unstructured services 38. (Col 15, lines 12-40). The central communications network provides services for control and routing of structured and unstructured messages and requests between distribution points and service providers. (Col 15, lines 53-56). The distribution points greet customers with a single language and common format including world wide identical logos and screen formats, for example, for customers traveling to a foreign destination to use the central communications network to access his/her hometown bank account to retrieve funds or engage in other financial transactions. (Col 18, lines 9-47).

In operation, the central communications network of Schein communicates with service providers 30 and financial institution branch systems 22, and messages

are directed to and from the central communications network by the branch systems 22 via a branch server 4 and branch router 23. The branch systems 22 include an in-branch workstation 25, an in-branch self-service station 27, and in-branch input devices. (Col 18, line 59-Col 19, line 6). The branch services consist of in-branch services that share a common LAN and are located within a branch of the bank. The in-branch LAN is connected to a public network 111 which in turn is connected via router 113 to the central communications network. (Col 19, lines 7-35). Another distribution point includes a remote server providing access to the central communications network's banking products and services for the customer via the PC using home banking software provided by the bank or a third party, such as Intuit's Quicken home banking software. (Col 19, lines 36-62). The central communications network is also accessible via telephone 123, PDA 127 (Col 20, lines 2-23), or a merchant's POS terminal. (Col 20, lines 51-67). Schein does not teach or suggest the method and system of electronic order routing of applicants' claimed invention.

Nor is the system of Schein in view of Sandu capable of electronic order routing using a global communications network according to applicants' claimed invention. Instead, the Sandu system is designed and implemented as an Internet capital markets trading system for institutional investors and financial institutions. (Col. 2, lines 10-16). In the Sandu Internet trading system, the institutional investor and financial institution first execute a standardized agreement and negotiate a line of credit for the institutional investor via e-mail. The institutional investor then decides on a transaction, such as a foreign exchange spot, a foreign exchange forward, or an interest rate swap, and structures the transaction using an interactive trading function of trading server 160. Thereafter, the institutional investor can submit a request for a quote to one or more financial institutions via the trading server 160 or communicate the request to a particular financial institution via e-mail. (Col. 5, line 60-Col. 6, line 55).

According to Sandu, financial institutions monitor the institutional investor's price quote request via a messaging server 90 and processor 20, and a financial institution can submit a price quote to the institutional investor via the processor 20

and messaging server 90. An expiration period is specified for each price quote, and the financial institution can change its price quotes to the institutional investor. The institutional investor monitors price quotes via a monitoring interface, selects one or more quotes, and negotiates with one or more financial institutions who provided the quote(s) via e-mail or telephone. The institutional investor accepts the best offer and sends its acceptance to the financial institution via the trading server 160. (Col. 6, line 56-Col 7, line 27). The financial institution sends a confirmation of the transaction to the institutional investor via the processor 20 and messaging server 90, and the institutional investor and financial institution submit the transaction to their respective back-end systems 85 for internal accounting and payment scheduling. (Col 7, lines 29-45).

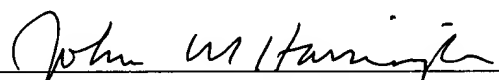
The claimed combinations are not taught or suggested by Schein and/or Sandu either separately or in combination with one another. Rather, Schein teaches a system for allowing bank customers to do their banking through bank branches, ATMs, telephone call centers, and PC home banking software, and Sandu teaches a system that allows an institutional investor to send a request for quote for a transaction to one or more financial institutions, to receive quotes from one or more financial institutions, each with its own time-out period, and to negotiate the best price with one of the financial institutions. It is also noted that none of the remaining references cited but not applied by the Examiner discloses the claimed features of applicant's invention. In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the Examiner is requested to reconsider and withdraw the rejection and to pass the application to issue.

Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

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